

FY 2001-2002 Tennessee Weighted Caseload Study Update



John G. Morgan
Comptroller of the Treasury
Office of Research
November 2002



STATE OF TENNESSEE

COMPTROLLER OF THE TREASURY

John G. Morgan

Comptroller

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November 18, 2002

The Honorable John S. Wilder
Speaker of the Senate
The Honorable Jimmy Naifeh
Speaker of the House of Representatives
and
Members of the General Assembly
State Capitol
Nashville, Tennessee 37243

Ladies and Gentlemen:

Transmitted herewith is the 2002 Weighted Caseload Study Update, a special study prepared by the Office of Research as required by Tennessee Code Annotated, Section 16-2-513. The study compiles and analyzes the filings, workload, and Full Time Equivalents (FTEs) for each judicial district and the state as a whole. It reports filings, workload, and subsequent need for FTEs by district. It also examines the non-compliance with case reporting and the need to collect complete information on the judicial functions of clerks and masters in certain districts where that information is not known. I hope you find this information helpful in your policy making process with regard to judicial resources.

Sincerely,

John G. Morgan
Comptroller of the Treasury

FY 2001-2002 Tennessee Weighted Caseload Study Update



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Comptroller of the Treasury
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Executive Summary

Tennessee Code Annotated, Section 16-2-513, requires the Comptroller of the Treasury to update the judges weighted caseload study at least annually. Weighted caseload studies provide the most objective means to assess the workload and need for judicial resources, or Full Time Equivalents (FTEs). The estimated number of FTEs needed is calculated by multiplying the total number of cases by case weights (average minutes per case per type of case) and dividing that number by the judge year.¹ As with any study, the judicial caseload study has limitations. The quantitative weighted caseload model provides a foundation for assessing judicial needs. This quantitative model approximates the need for judicial FTE but policymakers should also consider qualitative court-specific factors that affect workload.

Since the original study in 1999, the Comptroller's Office has worked with the courts to address questions about case weights, compliance with case standards, and proper reporting of case data. Questions about the case weights were referred to the National Center for State Courts (NCSC) and amended per NCSC's recommendations in last year's update. However, some courts still did not comply with caseload standards and reporting at the time of the FY 2001 weighted caseload study update. Legislation was passed during the 2001 legislative session to codify standards and reporting requirements to address these problems. The Administrative Office of the Courts (AOC) states that reporting of caseload data has improved since last year. The AOC reports that at least six courts did not report correctly the first six months of fiscal year 2002, but that all courts except criminal courts in District 30 (Shelby County) are now in full compliance.

District 30 (Shelby County) criminal courts are not in compliance with case reporting standards. As *Tennessee Code Annotated*, Section 16-1-117(a)(5), states, "If compliance is not achieved...the administrative office of the courts will no longer accept data from the office not in compliance until such time as the errors are corrected."² For this reason, the AOC did not accept criminal court filings,³ and criminal court data from District 30 are not included in this year's report (nor are the criminal court judicial resources). Only civil filings, workload, and judicial resources are included for District 30.

Since last year, the Shelby County District Attorney's Office has changed its indictment process to comply with case standards and the Information Technology Division of Shelby County is updating its information systems to comply with case standards and reporting requirements. The Manager of Shelby County Information Technology wrote in a letter dated January 30, 2002 that the new system will be developed and in full compliance by October 2003.⁴

This report updates the model, and analyzes the filings, workload, and FTEs by district and year. Based on FY 2002 case filings from the AOC,⁵ the study shows a combined statewide excess of 1.43 FTEs (***NOTE: This does not include District 30 criminal court***

¹ See Appendix A for complete explanation of the methodology and calculations used in the formula.

² See Appendices B and C for complete text of Supreme Court Rule 11 and TCA 16-1-117 respectively.

³ See Appendix D for copy of letter.

⁴ See Appendix E for copy of letter.

⁵ This does not include criminal filings from District 30. See Appendices B-E.

filings, workload, or judicial resources, which make up over 25 percent⁶ of the state's total criminal case load totals.) All districts are within one FTE of their needed judicial resources with the exception of District 20 (Davidson County), which shows a deficit of 3.02 FTEs, and District 30 (Shelby County), which shows an excess of 3.86 FTEs
(NOTE: District 30 FTEs are based only on civil filings, workload, and judicial resources.)

⁶ For FY 2001, 25.48 percent of total state criminal filings were from District 30.

Introduction and Background

Tennessee Code Annotated, Section 16-2-513, requires the Comptroller of the Treasury to update the judicial weighted caseload study annually. The weighted caseload study has been adopted to provide the legislative and judicial branches an objective means to assess the workload and need for judicial resources, or Full Time Equivalents (FTEs). It also provides qualitative information that affects the workload of judges such as the number of child support referees and clerks and masters. The estimated number of FTEs needed is calculated by multiplying the total number of cases by case weights (average minutes per case per type of case) and dividing that number by the judge year.¹

The weighted caseload study provides the most object means to assess the judicial workload and need for resources, but it has limitations. The quantitative weighted caseload model provides a foundation for assessing judicial needs. This quantitative model approximates the need for judicial FTEs, but policymakers should also consider qualitative court-specific factors that affect workload.

Last year, the Comptroller's Office worked with the National Center for State Courts to address concerns the AOC expressed regarding the case weights. Those issues were addressed in the 2001 weighted caseload study update. Although issues with the case weights were resolved, some courts still did not comply with the case standards in Supreme Court Rule 11 – the other main component of the study in addition to case weights. Public Chapter 408 of 2001 codified standards and reporting requirements to help clarify standards and address these problems. The AOC states that reporting of caseload data has improved since last year. AOC states that “it did take working with the 6-7 offices that were not doing the cases correctly during the first few months of the year.” Now all courts are in compliance with statutory and administrative case reporting policies except criminal courts in District 30 (Shelby County).

Analysis and Conclusions

Filings

This year's update does not include filings from criminal courts in District 30 because the court did not comply with case standards. For several years the indictment practices by the Shelby County District Attorney's Office and the Shelby County Criminal Court information system did not comply with Supreme Court Rule 11, which sets forth case standards and reporting requirements. *T.C.A.* 16-1-117(a)(5) and Supreme Court Rule 11 state, “If compliance is not achieved...the administrative office of the courts will no longer accept data from the office not in compliance until such time as the errors are corrected.”² Thus, the AOC has not accepted data from District 30 criminal courts for FY 2002 and the data is not included in this year's weighted caseload study.³

¹ See Appendix A for complete explanation of the study methodology and formulas.

² See Appendices B and C for complete text of Supreme Court Rule 11 and TCA 16-1-117 respectively.

³ See Appendix D for copy of the letter from the AOC notifying Shelby County Criminal Court they will not accept data until the court complies with case standard reporting requirements.

The Shelby County District Attorneys Office is now processing indictments in accordance with the case standards, and the Division of Information Technology is developing a system to report data according to Supreme Court Rule 11 and the statute. In January 2002, the Shelby County Information Technology Manager wrote a letter to the Administrative Office of the Courts outlining plans to update the system and enable the court to comply with the reporting requirements. He states in the letter that the office estimates they will begin reporting data by October 2003.⁴

Because Shelby County Criminal Court is not able to comply with reporting requirements, the AOC is not accepting criminal court filing data. *Thus, criminal court filings for District 30⁵ are not included in this years report (nor are the criminal court judicial resources).* For this reason, FTEs for District 30 are calculated using only civil filings and civil judicial resources. Because of incomplete data, the Office of Research is unable to report yearly criminal case filing totals and trends over the last three years. However, complete FTEs and filings are reported district by district for all other districts.

Total civil case filings for FY 2002 rose slightly, and filings for domestic and probate cases decreased. (See Exhibit 1). It is not possible to calculate totals for criminal filings as discussed in the previous section.

Exhibit 1

Total State Filings by Case Type and Year				Number and Percent Change by Year			
Case Type	FY 00	FY 01	FY 02	FY 01 to FY 02		FY 00 to FY 02	
				# Change	% Change	# Change	% Change
Civil	52,598	52,445	52,842	397	0.76%	244	0.46%
Domestic	68,517	67,718	66,306	-1,412	-2.09%	-2,211	-3.23%
Probate	13,208	13,940	12,888	-1,052	-7.55%	-320	-2.42%
Felonies	32,311	32,243	*25,603	*	*	*	*
Misdemeanors	13,578	13,800	*9,561	*	*	*	*
Criminal Other	6,768	6,910	*5,819	*	*	*	*
Total	186,980	187,056	-	-	-	-	-
*Does not include District 30 criminal case filings, only civil case filings.				*Cannot calculate state totals because of incomplete criminal filing data that was not accepted from District 30.			

Twenty of the 30 districts with complete data show an increase in total filings over the last three years. Percentage increases range from .81 percent in District 3 to 27.74 percent in District 9. Of the three large urban districts with complete data, filings in District 6 (Knox County) and District 11 (Hamilton County) have decreased, and filings in District 20 (Davidson County) have increased. (See Exhibit 2.)

⁴ See Appendix E for copy of the letter from the Manager of Shelby County Information Technology.

⁵ For FY 2001, 25.48 percent of total state criminal filings were from District 30.

Workload

The workload has increased for all but seven districts (4, 6, 11, 19, 22, 24, and 26) between FY 2000 and FY 2002.⁶ The workload of a district is calculated by multiplying the number of filings by the case weights. Five districts (9, 14, 15, 21, and 31,) had greater than a 10 percent increase. (See Exhibit 3.)

Workload is a more accurate number to calculate the need for judicial resources than filings because it multiplies the filing (case) by the case weight, which varies depending on average time to dispose each case. It is possible, depending on the type of case, to have more filings in one district than another, and the workload actually be lower. Thus comparing filings alone cannot be used to determine the need for judicial resources. As Appendix F, line 10 shows, workload is adjusted for travel in multi-county judicial districts, urban and rural areas, and non-casework related time.

Full Time Equivalents

Based on FY 2002 case filing data and workload, the state has a net excess of 1.43 FTEs.

(See Exhibit 4.) All districts are within 1 FTE needed with the exception of District 20 (Davidson County) which shows a deficit of 3.02 FTE's, and District 30 (Shelby County) which shows an excess of 3.86 FTE's (which includes civil filings and resources only). (See Exhibit 5.) The state still has an excess of 1.43 FTEs in 2002, but the number has decreased by 1.47 FTEs from 2.9 excess FTEs in 2001. Exhibit 5 shows the excess or deficit FTEs by judicial district and year.

Qualitative Issues

The National Center for State Courts did not collect data in its original study in 1999 to determine if clerk and masters spend 50 percent or more of their time performing judicial functions for all districts. Therefore, the AOC cannot determine whether clerk and masters in these districts should be included as judicial resources. The methodology in the original 1999 weighted caseload study model states that clerk and masters are to be included as judicial resources if they spend at least 50 percent of their time assisting the judge with the judicial workload. While this information is reported for some districts, it is not reported in districts 1, 3, 7, 8, 9, 10, 12, 14, 15, 17, 21, 23, 27, 28, and 31. As every update emphasizes, qualitative factors should be considered, in addition to analysis of numbers, when assessing resources needed. Support resources such as child support referees and clerks and masters are examples of such qualitative factors.

⁶ Does not include District 30.

Exhibit 2

Total Filings by District and Yearly Changes for FY 00 - FY02

Judicial Districts (Counties)	FY 00	FY 01	FY 02	Change from FY 01 to FY 02		Change from FY 00 to FY 02	
	Filings			#	%	#	%
District 1 (Carter, Johnson, Unicoi, and Washington)	5,463	5,197	5,857	660	12.70%	394	7.21%
District 2 (Sullivan)	4,645	4,716	5,080	364	7.72%	435	9.36%
District 3 (Greene, Hamblen, Hancock, and Hawkins)	5,921	5,837	5,969	132	2.26%	48	0.81%
District 4 (Cocke, Grainger, Jefferson, and Sevier)	5,833	5,723	5,532	-191	-3.34%	-301	-5.16%
District 5 (Blount)	3,002	3,106	3,065	-41	-1.32%	63	2.10%
District 6 (Knox)	15,223	14,891	14,403	-488	-3.28%	-820	-5.39%
District 7 (Anderson)	2,706	2,863	2,749	-114	-3.98%	43	1.59%
District 8 (Campbell, Claiborne, Fentress, Scott, and Union)	3,299	3,326	3,411	85	2.56%	112	3.39%
District 9 (Loudon, Meigs, Morgan, and Roane)	1,788	1,969	2,284	315	16.00%	496	27.74%
District 10 (Bradley, McMinn, Monroe, and Polk)	5,496	5,941	5,816	-125	-2.10%	320	5.82%
District 11 (Hamilton)	12,020	11,595	11,721	126	1.09%	-299	-2.49%
District 12 (Bledsoe, Franklin, Grundy, Marion, Rhea, and Sequatchie)	5,247	5,135	5,444	309	6.02%	197	3.75%
District 13 (Clay, Cumberland, DeKalb, Overton, Pickett, Putnam, and White)	4,231	5,346	4,530	-816	-15.26%	299	7.07%
District 14 (Coffee)	1,625	1,666	1,847	181	10.86%	222	13.66%
District 15 (Jackson, Macon, Smith, Trousdale, and Wilson)	3,980	4,093	4,346	253	6.18%	366	9.20%
District 16 (Cannon and Rutherford)	6,151	6,318	6,762	444	7.03%	611	9.93%
District 17 (Bedford, Lincoln, Marshall, and Moore)	3,478	3,609	3,776	167	4.63%	298	8.57%
District 18 (Sumner)	4,637	4,858	4,846	-12	-0.25%	209	4.51%
District 19 (Montgomery and Robertson)	5,478	5,259	5,247	-12	-0.23%	-231	-4.22%
District 20 (Davidson)	21,495	22,148	22,887	739	3.34%	1,392	6.48%
District 21 (Hickman, Lewis, Perry, and Williamson)	4,525	4,712	5,060	348	7.39%	535	11.82%
District 22 (Giles, Lawrence, Maury, and Wayne)	5,877	5,199	5,408	209	4.02%	-469	-7.98%
District 23 (Cheatham, Dickson, Houston, Humphreys, and Stewart)	3,852	3,829	3,972	143	3.73%	120	3.12%
District 24 (Benton, Carroll, Decatur, Hardin, and Henry)	3,124	2,975	2,948	-27	-0.91%	-176	-5.63%
District 25 (Fayette, Hardeman, Lauderdale, McNairy, and Tipton)	4,560	4,298	4,524	226	5.26%	-36	-0.79%
District 26 (Chester, Henderson, and Madison)	4,901	4,769	4,635	-134	-2.81%	-266	-5.43%
District 27 (Obion and Weakley)	2,400	2,568	2,430	-138	-5.37%	30	1.25%
District 28 (Crockett, Gibson, and Haywood)	2,382	2,559	2,479	-80	-3.13%	97	4.07%
District 29 (Dyer and Lake)	1,905	1,907	1,875	-32	-1.68%	-30	-1.57%
District 30 (Shelby County) *See Note	30,217	28,905	12,453	*	*	*	*
District 31 (Van Buren and Warren)	1,519	1,739	1,663	-76	-4.37%	144	9.48%
Totals	186,980	187,056	173,019	*	*	*	*

Source for Filings: Administrative Office of the Courts.

*Criminal filings from District 30 were not accepted by the AOC for FY 2002 because data did not comply with TCA 16-1-117 (a) (5) reporting requirements (See Appendix B and C). Thus, numbers include civil filings and civil judicial resources only; whereas FY 2000 and 2001 do include criminal filings and judicial resources.

Exhibit 3

Yearly Summary of Adjusted Workload* by Judicial District for							
FY 2000-FY 2002				%		%	
Judicial Districts (Counties)	FY 00	FY 01	FY 02	# Change FY 01- FY 02	Change FY 01- FY 02	# Change FY 00- FY 02	Change FY 00- FY 02
District 1 (Carter, Johnson, Unicoi, and Washington)	346,146	331,758	370,234	38,476	11.60%	24,088	6.96%
District 2 (Sullivan)	300,572	304,409	324,512	20,103	6.60%	23,940	7.96%
District 3 (Greene, Hamblen, Hancock, and Hawkins)	419,088	422,311	425,742	3,431	0.81%	6,654	1.59%
District 4 (Cocke, Grainger, Jefferson, and Sevier)	421,637	416,528	407,107	-9,421	-2.26%	-14,530	-3.45%
District 5 (Blount)	200,609	210,312	205,101	-5,211	-2.48%	4,492	2.24%
District 6 (Knox)	1,000,298	983,424	949,394	-34,030	-3.46%	-50,904	-5.09%
District 7 (Anderson)	194,465	207,980	196,762	-11,218	-5.39%	2,297	1.18%
District 8 (Campbell, Claiborne, Fentress, Scott, and Union)	249,018	253,018	259,868	6,850	2.71%	10,850	4.36%
District 9 (Loudon, Meigs, Morgan, and Roane)	139,758	152,300	175,703	23,403	15.37%	35,945	25.72%
District 10 (Bradley, McMinn, Monroe, and Polk)	395,517	424,916	416,370	-8,546	-2.01%	20,853	5.27%
District 11 (Hamilton)	788,404	762,543	781,767	19,224	2.52%	-6,637	-0.84%
District 12 (Bledsoe, Franklin, Grundy, Marion, Rhea, and Sequatchie)	372,701	359,166	379,075	19,909	5.54%	6,374	1.71%
District 13 (Clay, Cumberland, DeKalb, Overton, Pickett, Putnam, and White)	311,452	383,132	339,969	-43,163	-11.27%	28,517	9.16%
District 14 (Coffee)	121,225	124,730	137,960	13,230	10.61%	16,735	13.80%
District 15 (Jackson, Macon, Smith, Trousdale, and Wilson)	277,748	287,658	309,716	22,058	7.67%	31,968	11.51%
District 16 (Cannon and Rutherford)	386,866	397,379	422,074	24,695	6.21%	35,208	9.10%
District 17 (Bedford, Lincoln, Marshall, and Moore)	252,385	260,179	271,278	11,099	4.27%	18,893	7.49%
District 18 (Sumner)	295,033	312,397	313,920	1,523	0.49%	18,887	6.40%
District 19 (Montgomery and Robertson)	335,081	335,385	334,358	-1,027	-0.31%	-723	-0.22%
District 20 (Davidson)	1,523,715	1,579,338	1,633,460	54,122	3.43%	109,745	7.20%
District 21 (Hickman, Lewis, Perry, and Williamson)	285,098	304,585	321,332	16,747	5.50%	36,234	12.71%
District 22 (Giles, Lawrence, Maury, and Wayne)	436,035	371,465	388,700	17,235	4.64%	-47,335	-10.86%
District 23 (Cheatham, Dickson, Houston, Humphreys, and Stewart)	262,492	258,725	278,874	20,149	7.79%	16,382	6.24%
District 24 (Benton, Carroll, Decatur, Hardin, and Henry)	239,397	224,512	233,574	9,062	4.04%	-5,823	-2.43%
District 25 (Fayette, Hardeman, Lauderdale, McNairy, and Tipton)	333,300	317,630	342,272	24,642	7.76%	8,972	2.69%
District 26 (Chester, Henderson, and Madison)	314,820	307,646	306,936	-710	-0.23%	-7,884	-2.50%
District 27 (Obion and Weakley)	174,684	192,865	183,504	-9,361	-4.85%	8,820	5.05%
District 28 (Crockett, Gibson, and Haywood)	178,303	190,875	186,406	-4,469	-2.34%	8,103	4.54%
District 29 (Dyer and Lake)	137,652	142,902	141,709	-1,193	-0.84%	4,057	2.95%
District 30 (Shelby County)	2,040,080	1,924,445	919,102	-	-	-	-
District 31 (Van Buren and Warren)	110,039	124,271	123,646	-625	-0.50%	13,607	12.37%

*Adjusted workload is measured in minutes—see Appendix A for complete formula and Appendix F for specific numbers; some may be rounded.

Exhibit 4

Yearly Trend in the Need for Judicial Resources (FTEs)				
State Net FTEs	FY 00	FY 01	FY 02	Change FY 01-02
Total Judicial Resources (FTEs)	151	151	141*	*
Total Judicial Resources Needed	147.74	148.1	139.57	-8.53
Net (excess or deficit in Judicial Resources)	3.26	2.9	1.43	1.47
*Actual resources did not change. District 30 criminal judicial resources and filings are not included in the calculation of FTEs. The AOC did not accept District 30 criminal filings because they were not reported according to Supreme Court Rule 11 or TCA 16-1-117 (a) (5). Therefore, the total FTEs is based on 141 judicial resources, but actually there are still 151 total judicial resources (judges).				

Exhibit 5

Excess or Deficit Full Time Equivalents (FTE's) by District for FY 2000 - FY 2002 and Increase or Decrease for Same Time Period						
Judicial Districts (Counties)	FY 2000	FY 2001	FY 2002	Difference FY 2001-02	Difference FY 2000-02	
District 1 (Carter, Johnson, Unicoi, and Washington)	0.91	1.08	0.63	-0.45	-0.28	
District 2 (Sullivan)	0.45	0.41	0.17	-0.24	-0.28	
District 3 (Greene, Hamblen, Hancock, and Hawkins)	0.05	0.01	-0.03	-0.04	-0.08	
District 4 (Cocke, Grainger, Jefferson, and Sevier)	-0.08	-0.02	0.09	0.11	0.17	
District 5 (Blount)	-0.11	-0.22	-0.16	0.06	-0.05	
District 6 (Knox)	-1.04	-0.85	-0.47	0.38	0.57	
District 7 (Anderson)	-0.15	-0.29	-0.17	0.12	-0.02	
District 8 (Campbell, Claiborne, Fentress, Scott, and Union)	-0.05	-0.09	-0.18	-0.09	-0.13	
District 9 (Loudon, Meigs, Morgan, and Roane)	1.35	1.2	0.93	-0.27	-0.42	
District 10 (Bradley, McMinn, Monroe, and Polk)	0.33	-0.02	0.08	0.10	-0.25	
District 11 (Hamilton)	0.3	0.59	0.37	-0.22	0.07	
District 12 (Bledsoe, Franklin, Grundy, Marion, Rhea, Sequatchie)	-0.56	-0.39	-0.64	-0.25	-0.08	
District 13 (Clay, Cumberland, DeKalb, Overton, Pickett, Putnam, and White)	1.19	0.31	0.84	0.53	-0.35	
District 14 (Coffee)	0.66	0.62	0.48	-0.14	-0.18	
District 15 (Jackson, Macon, Smith, Trousdale, and Wilson)	0.6	0.48	0.21	-0.27	-0.39	
District 16 (Cannon and Rutherford)	0.43	0.31	0.02	-0.29	-0.41	
District 17 (Bedford, Lincoln, Marshall, and Moore)	0.02	-0.07	-0.20	-0.13	-0.22	
District 18 (Sumner)	-0.26	-0.45	-0.46	-0.01	-0.20	
District 19 (Montgomery and Robertson)	0.04	0.04	0.05	0.01	0.01	
District 20 (Davidson)	-1.81	-2.42	-3.02	-0.60	-1.21	
District 21 (Hickman, Lewis, Perry, and Williamson)	0.63	0.4	0.21	-0.19	-0.42	
District 22 (Giles, Lawrence, Maury, and Wayne)	-1.15	-0.39	-0.59	-0.20	0.56	
District 23 (Cheatham, Dickson, Houston, Humphreys, Stewart)	-0.21	-0.16	-0.41	-0.25	-0.20	
District 24 (Benton, Carroll, Decatur, Hardin, and Henry)	0.07	0.25	0.14	-0.11	0.07	
District 25 (Fayette, Hardeman, Lauderdale, McNairy, and Tipton)	-0.08	0.12	-0.19	-0.31	-0.11	
District 26 (Chester, Henderson, and Madison)	0.28	0.37	0.38	0.01	0.10	
District 27 (Obion and Weakley)	-0.06	-0.28	-0.17	0.11	-0.11	
District 28 (Crockett, Gibson, and Haywood)	-0.11	-0.25	-0.20	0.05	-0.09	
District 29 (Dyer and Lake)	0.37	0.31	0.33	0.02	-0.04	
(District 30 (Shelby County) *SEE Note	1.49	2.77	3.86	-	-	
District 31 (Van Buren and Warren)	-0.3	-0.47	-0.46	0.01	-0.16	
Total Excess or Deficit FTEs	3.26	2.9	1.43	-1.47	-1.83	
*Civil FTEs only, does not include need, or lack there of, for criminal judicial resources because criminal filings were not accepted by the AOC.						
Note: "-" in Difference column indicates the need for FTEs has increased, i.e., the excess has decreased or deficit has increased.						

Recommendations

The Judicial Council may wish to request additional judicial resources for District 20.

District 20 continually shows the greatest need for more judicial resources. In the last three years the filings and workload for District 20 have increased by 1,392 and 54,122, respectively. As a result, the deficit in FTEs has increased from -1.81 to -3.02.

The AOC should collect information from the clerk and masters in districts with a question mark on line 19 of Appendix F to determine if they spend 50 percent or more of their time on judicial functions and if they should be considered a judicial resource. It is not known in districts 1, 3, 7, 8, 9, 10, 12, 14, 15, 17, 21, 23, 27, 28, and 31 how much clerk and masters time is spent on judicial functions to determine if they should be counted as a judicial resource. This information is needed to better assess the qualitative factors that contribute to the judicial resources of each district and compare them equitably.

According to the weighted caseload methodology, qualitative factors should be considered in addition to the quantitative caseloads, workloads, and FTE's. Currently, the weighted caseload model accounts for travel, size of district, clerks and masters (for some districts), and child support referees. But other qualitative factors affect the need for resources as well. This information may be helpful in assessing what qualitative factors either reduce or increase the workload of judges; and how districts can utilize this information to reduce the judges workload and help the system to function more efficiently.

Factors that may decrease workload of a judicial district:

- additional local funding,
- additional support staff,
- better automation, and
- the efficiency of system.

Factors that may increase workload of a judicial district:

- death or extended illness of a judge,
- legislation requiring trial duties that take longer, and
- the lack of efficiency within system.

APPENDIX A

History and Methodology to Conduct the Time Study and Calculate Case Weights For the Original Judges' Weighted Caseload Study in 1998¹

History

In 1997 House Amendment 940 directed the Comptroller of the Treasury to conduct a study of the state judicial system. The Comptroller contracted with the National Center for State Courts in May of 1998 to conduct a weighted caseload study.

The weighted caseload model requires a time study whereby judges' track time spent on various case types during a specified time period. The consultants from the NCSC then used time study information with disposition data for the same time period to construct a "case weight" for each case type. The weights are designed to consider the varying level of complex cases a court may experience.

For the judge, public defender, and district attorney studies, the state established a steering committee to assist and make decisions in conjunction with the three consultant groups. The steering committee was composed of the AOC Director, members of the judiciary from the 13th, 16th, 30th Districts, the Executive Director of the District Attorneys General Conference, District Attorneys General from the 2nd, 8th, and 20th Districts, the Executive Director of the District Public Defenders Conference, Public Defenders from the 5th, 24th, and 26th Districts, the Deputy Executive Director of the Tennessee Bar Association, a state representative, a state senator, and representatives from Lt. Gov. John Wilder's Office, Speaker Jimmy Naifeh's Office, and the Comptroller's Office.

Methodology

The study includes calculations of case weights, workload, judge year, adjusted judge year, and full time equivalents, and case filings. Case types have to be established and a time study has to be conducted.

Case Types

The circuit, criminal, and chancery courts in Tennessee report 43 case types to the AOC. Together with the consultant groups, the steering committee collapsed the 43 case types into six to ensure enough data in each category to avoid sampling error and ensure valid conclusions. The consultants included enough case types to develop realistic and reasonable weights. The Steering Committee then grouped cases by similar type and complexity into the following categories:

¹ Original study and all subsequent updates can be found on the internet at <http://www.comptroller.state.tn.us/orea/reports/index.htm>.

1. Civil (includes civil appeals)
2. Domestic
3. Probate
4. Felonies
5. Misdemeanors
6. Criminal Other (includes criminal appeals)

Categories of Case Events

The steering committee also decided case events:

1. Pre-Trial Hearings/Motions
2. Bench Trial/Juvenile Adjudication
3. Jury Trial
4. Adjudication/Non-Trial Disposition Hearings
5. Post-Trial/Adjudication/Disposition Hearings
6. Case-Related Administration
7. Non-Case Administration
8. Travel

Disposition Count

The AOC provided disposition data for the study. Although courts may count filings and dispositions differently, based on a statistical analysis done by the AOC, courts disposed 98 percent of statewide criminal dispositions for FY 97-98 on the same day they were filed. Also, courts disposed 95 percent of statewide criminal dispositions for FY 97-98 on the date filed.² Given this, all charges against one defendant for one incident were classified as one filing, thus one disposition.

Construction of Case Weights

A case weight represents the average number of minutes required to process each case type. The case weight does not include the time expended on non-case related work or travel time. These two categories are used, however, to calculate the judge year. The consultants constructed the case weights by taking the total number of minutes for each case type and then dividing by the number of dispositions for each case type.

<u>Case types</u>	<u>Case weights³</u>
Civil	92
Domestic	46
Probate	71
Felonies	73

² National Center for State Courts, *Tennessee Judicial Weighted Caseload Model*, p. 17, April 1999.

³ Case Weights as amended by NCSC Review in December 6, 2001.

Misdemeanors	34
Criminal-Other	61

For example, the average civil case takes approximately 92 minutes of judicial time; the average domestic case takes approximately 46 minutes..

The consultants also calculated case weights for the urban, rural, and transitional districts. From these weights, the consultants determined that it took longer to process civil, domestic, felony and misdemeanor cases in rural districts than in urban. The consultants opined that the higher volume of the urban districts allowed them to aggregate some procedures and process cases faster. They also found that urban districts are specialized into civil and criminal divisions that could permit them to process cases faster. Urban districts took longer to process probate cases, and the consultants suggested that urban districts' probate cases could be more complex.

Although larger courts may have faster average processing times for cases than smaller courts, the Final Report of the Tennessee Judicial Weighted Caseload Model recommends, based on Guideline 9 in *Assessing the Need for Judges and Court Support Staff*, that a single set of case weights for judges within a state is preferable to multiple weights. However, one should evaluate differences in time requirements or case mix across courts of different sizes to determine if separate weights are needed. Another way to deal with differences engendered by economies of scale is to adjust the workloads of the districts to correct for the differences and use a single case weight.⁴

Filings Count

The AOC provided the annual filings data for the original study, the NCSC review, and ongoing weighted caseload study updates. The consultants used the filings for the previous year to validate their model for the original study. They also substantiated the accuracy of the case weights by comparing the current filings count to existing judicial resources.⁵

Calculation of the Workload

Workload is defined as the number of minutes required for a judicial district to process its caseload annually. To calculate the workload, multiply the number of filings per case type by the corresponding case weight for that case type (See Table 1). For example, using FY 99-00 data for District 1, the workload is 346,146.

⁴V.E. Flango and B. J. Ostrom, *Assessing the Need for Judges and Court Support Staff*, National Center for State Courts, p. ix, 1996.

⁵ This was revalidated in the review conducted by the NCSC in 2001.

Table 1
Calculation of District 1 Workload

Case Type	Case weights⁶	District 1 FY 2000 Filings⁷	Workload
	(average number of minutes per case)		(case weights x filings)
Civil	92	1,343	123,556
Domestic	46	2,455	112,930
Probate	71	235	16,685
Felonies	73	1,057	77,161
Misdemeanors	34	257	8,738
Criminal-Other	61	116	7,076
Total for District 1		5,463	346,146

Adjusted Workload

The consultants determined that the rural judicial districts had higher case weights than the statewide case weight “because of factors intrinsic to the size of the court.” The consultants subsequently increased the workload values by 15 percent for all rural judicial districts. Therefore, the adjusted workload is calculated by multiplying the workload by .15 and then adding that to the original workload.

Table 2

Calculating Adjusted Workload - Example District 3 FY 2000		
	Rural	
Original Workload (filings X caseweights)	Adjustment (wkloadx.15)	Adjusted Workload (wkload + rural adj)
364,424	54,664	419,088

Judge Year Value

The judge year value is an estimate of the time an average judge has available to process his or her workload in a year. The steering committee, with input from NCSC, estimated that a judge had eight hours per day and 217 days a year. The eight hours *does not* include time for lunch, breaks, or other interruptions. However, the judge year value must be adjusted to account for travel time and non-case related work. The consultants determined travel times by calculating the average minutes of travel per judge day and then characterizing districts by the number of courthouses, resulting in the following three categories: high travel (5-7 courthouses), medium travel (2-4 courthouses), and low travel (1 courthouse). Non-case related work is time not available for processing cases and must also be subtracted from the judge year value.

⁶ Based on revised case weights per the NCSC Review December 6, 2001.

⁷ Based on updated filings for FY 2000 provided by the AOC, 2001.

Judicial Resource Count

The AOC provided information regarding the number of judges and judicial officers per district. Judicial resources include judges and chancellors.⁸ Clerks and Masters and Child Support Referees are included in the study as a *qualitative* measure.

Calculating Resource Needs/FTE's

To determine the number of judicial resources needed (FTE's) for a particular judicial district, the adjusted workload is divided by the adjusted judge year value. Using District 1 as an example:

Table 3

Calculation of Judicial Resource Needs/FTE's Example District 1 - FY 2000		
Adjusted Workload	Adjusted Judge Year	Judicial Resources Needed (Adjusted Workload/Adjusted Judge Year)
346,146	84,692	4.09

Comparison of Actual and Needed Judicial Resources

To determine if a district has an excess or deficit of judicial resources, subtract the judicial resources needed from the actual judicial resources. For example, District 1 had five judicial resources (FTEs). The district needed only 4.08 FTEs. Five minus 4.08 equals .92. Thus, District 1 had .92 more FTE than its workload required.

Table 4

Calculation of FTE's Over or Under	
Total Judicial Resources	5
Judicial Resources Needed	4.08
FTE's Over or Under	0.92

The weighted caseload study model updates calculate each of these figures based on the current years total and district filings.

⁸ Note Child Support Referees are no longer included in the quantitative calculation of judicial resources as they were in the original study as a result of the 2001 NCSC Review.

APPENDIX B

Supreme Court Rule 11

II. Functional improvement of judicial system - Uniform procedures for data collection in civil and criminal matters in circuit, criminal, chancery, probate, and general sessions courts.

a. The judicial system of this State henceforth will function as an integrated unit under the direction and supervision of the Supreme Court.

b. Pursuant to its statutory duty to assist the Chief Justice of the Tennessee Supreme Court in improving the administration of justice, the Administrative Office of the Courts (AOC), working with a committee of representatives from the District Attorneys' General Conference, the Public Defenders' Conference, the Tennessee Judicial Conference, and the Clerks of Court Conference, has developed a procedure for the collection of uniform statistical data on matters filed in the Circuit, Criminal, and Chancery Courts of this state.

c. The Court finds that the data collection procedure designed by the Administrative Office of the Courts, in conjunction with the above-named committee, will aid in the accomplishment of the AOC's statutory duties, (T.C.A. § 16-3-803(g)), that the collection of statistical data by the AOC is specifically authorized by statute (T.C.A. § 16-3-803(i)); and that all judges, clerks of court, district attorneys general, district public defenders, other officers or employees of the courts, and all staff of offices or employees related to and serving the courts, are charged with complying with all requests for information from the Administrative Director of the Courts. Further, to ensure that comparable data is collected from all of the courts, data collection shall follow the standard definition of a case as set forth in T.C.A. § 16-1-117.

(1) Reporting Forms; Responsibility for Submission. Each clerk of a circuit, criminal, chancery, probate, general sessions, or municipal court with general sessions jurisdiction is responsible for submitting the forms required by this rule to the Technology Services Division of the Administrative Office of the Courts. Submission of forms specified by this rule shall be filed with the AOC not later than fifteen (15) days after the close of the month in which the case was filed and also the month in which it was disposed. Pursuant to the procedure, the AOC will provide a supply of the Civil Case Cover Sheets and the Criminal Case Cover Sheets, FORM NOS. TJIS/CI1 and TJIS/CR1, to the clerks of the Circuit, Criminal, Chancery, and Probate Courts. General Sessions Courts and Municipal Courts with general sessions jurisdiction will be provided with copies of FORM NOS. TJISGSCR1 and TJISGCCV1.

Clerks for courts of record other than juvenile court shall require that any complaint and summons filed to commence, reopen, or reinstate a civil action shall be accompanied by a Civil Case Cover Sheet for reopened cases, FORM NO. TJIS/CI3, which has been completed by the initiating party or his/her representative. The clerks shall also require a new Civil Case Cover

Sheet (Reopened Cases) to be completed upon the grant of a new trial. Upon issuance of a final order disposing of the case, the clerk of court shall complete the disposition portion of the Civil Case Cover Sheet in full. A portion of the cover sheet containing this disposition information shall then be forwarded to the AOC on a monthly basis.

In addition, the clerks of courts of record other than juvenile shall require that any indictment, presentment or criminal information that initiates a criminal action in circuit or criminal court shall be accompanied by a Criminal Case Cover Sheet which has been completed by the district attorney general or his/her office. The clerks shall complete a new Criminal Case Cover Sheet upon the grant of a new trial, upon a case appealed from a lower court, or upon any petition to reopen or reinstate a criminal action. Upon issuance of a final order or judgment disposing of the case, the clerk of the court shall complete the disposition portion of the Criminal Case Cover Sheet for each docket number and all related charges. When all charges on the form have been disposed of, these forms shall be forwarded by the clerk of court, on a monthly basis, to the AOC.

Effective July 1, 2002, clerks' offices that are automated shall report statistical information monthly to the AOC by computer diskette or electronic mail attachment. In the event that a clerk is unable to do so due to technical difficulties, the clerk may report by sending the completed Criminal Case Cover Sheets and/r Civil Case Cover Sheets to the AOC.

(2) Administrative Director; Reports Public Record When Filed. All reports specified by these rules shall be public records. The Administrative Director of the Courts shall publish an annual compilation of the reports. All judges, court clerks, district attorneys general, district public defenders, and officers of the court shall cooperate with the Administrative Director to ensure the accuracy of the reports. As required by statute, the Administrative Director of the Courts shall annually report to the Chair of the Judicial Council, the Chair of the Judiciary Committee of the Senate, the Chair of the Judiciary Committee of the House of Representatives, and the Office of the Comptroller Division of Research and Accountability as to the failure of any judge, district attorney general, district public defender, or court clerk to comply with any of the reporting requirements.

Compliance with the reporting requirements includes, but is not limited to, submitting cover sheets within the fifteen (15) day time frame, submitting data every month, submitting data according to Implementation Manual guidelines, and using correct case numbering and definitions.

The Administrative Office of the Courts will provide written notification to any responsible reporting party found not to be in compliance with the statute or reporting guidelines. Written notification will detail the type of non-compliance and recommend the corrective action to be taken. If compliance is not achieved during the subsequent reporting period following notification, the Administrative Office of the Courts will no longer accept data from the office not in compliance, until such time as the error(s) are corrected. Notification of this action will be sent to all judges, district attorneys general, district public defenders, and court clerks within the district that the non-complying office is located in. Notification will also be sent to the District Attorney General Conference, the District Public Defender Conference, the Administrative

Office of the Courts, and the County Officials Association of Tennessee. Any periods of non-compliance will also be reported in the annual report to the Judicial Council and the chairs of the House and Senate Judiciary Committees.

The Technology Services Division of the AOC shall provide an Implementation Manual that contains commentary and explanatory material pertaining to these rules and the report forms required by these rules. The Implementation Manual shall also contain a dictionary of terms to be used for case reporting, and how the terms will be defined for reporting purposes.

(3) Case Numbering. For purposes of this rule, the term 'docket number' is defined as the separate and distinct identification number used for a case once it is filed in criminal, circuit, chancery, or probate court. An incident is defined as all criminal activity occurring in a twenty-four (24) hour period, committed by a single defendant. Charges of a related nature shall be defined as charges against a single defendant that may have more than one victim and that are similar such as, but not limited to, burglaries, drug offenses, or serial rape. A court proceeding is defined as all court activity relating to a case from initial filing through disposition at a single level of court, i.e. general sessions, circuit, appellate, or Supreme Court.

A criminal case in a court of record, except juvenile court, is defined as a single charge or set of charges, arising out of a single incident involving the same victim(s), concerning a single defendant in one court proceeding. Accordingly, all charges consolidated into a single proceeding shall be included under one case number. In no instance should separate docket numbers be assigned to each charge when multiple charges are filed against a single defendant when said charges are intended to be handled in the same court proceeding. An appeal, probation revocation, or other post judgment proceeding is considered a separate case.

Worthless check cases shall be defined as all worthless checks filed by the same affiant against the same defendant within a twenty-four (24) period with each check as a separate charge under one docket number.

In criminal cases, each defendant shall be assigned a separate case (docket) number. In the alternative, separate defendant identifiers (such as letters) shall be added to the end of the original docket number to reflect co-defendants listed in a single case or charge. In instances where multiple defendants are identified by appending a letter to the docket number, all dispositions must be filed in an identical manner.

District attorneys general shall treat multiple incidents as a single incident for purposes of this rule when the charges are of a related nature and it is the district attorney general's intention that all of the charges be handled in the same court proceeding. Nothing in this rule is intended to alter or change in any way the Rules of Criminal Procedure governing severance and joinder.

A civil case shall be defined as all motions, petitions, claims, counter claims, or proceedings between the parties resulting from the initial filing until the case is disposed. A docket number will be assigned to a civil case upon filing. Until said cases are disposed all subsequent motions, petitions, claims, counter claims, or proceedings between the parties resulting from the initial filing will be handled under the assigned docket number and will not be assigned a new docket

number. Once a civil case has been disposed and further actions occur on the case, the original case will be reopened using the same docket number under which it was originally filed. All subsequent motions, petitions, claims, counter claims, and proceedings relating to the reopened case will be handled under the one reopened case docket number until disposed. Any subsequent reopenings will still use the original docket number.

(4) General Sessions Reporting. Effective July 1, 2003, or sooner if practical, all general sessions courts and municipal courts with general sessions jurisdiction shall collect and report to the AOC all civil and criminal case data in accordance with the definitions provided under Part (3) above and guidelines published by the AOC.

Clerks of general sessions and municipal courts with general sessions jurisdiction shall file monthly reports with the AOC using FORM NOS. TJISGSCR1 and TJISGSCV1. Forms shall be submitted no later than the fifteenth (15) day of month following the month for which data is being reported.

General sessions courts and municipal courts with general sessions jurisdiction having an automated case management system shall report the collected data in accordance with the guidelines by diskette or e-mail submission.

Source: Michie's Tennessee Primary Law/Tennessee Court Rules Annotated/RULES OF THE SUPREME COURT OF THE STATE OF TENNESSEE/Rule 11. Supervision of the Judicial System/II. Functional improvement of judicial system - Uniform procedures for data collection in civil and criminal matters in circuit, criminal, chancery, probate, and general sessions courts.

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APPENDIX C

TCA 16-1-117

Reporting case statistics - Automated court information system.

(a) It is the duty of the administrative office of the courts to collect, develop, and maintain uniform statistical information relative to court caseloads in Tennessee. To assist the administrative office of the courts in this duty, the clerks of each court shall report case statistics as set forth below:

(1) Each criminal case shall be assigned a unique docket number. A criminal case in a court of record, except juvenile court, shall be defined and counted as a single charge or set of charges arising out of a single incident involving the same victim or victims concerning a defendant in one (1) court proceeding. If a case has more than one (1) charge, or count, the system shall be designed to count the case according to the highest class of charge or count at the time of disposition. An incident shall be all criminal activity occurring within a twenty-four hour period. A court proceeding refers to a single level of court, i.e., general sessions, circuit, appeals or supreme court. An appeal, probation revocation, or other post-judgment proceeding is considered a separate case. This definition shall not alter the practice in the Tennessee Rules of Criminal Procedure dealing with the joinder and severance of criminal cases. Charges of a related nature shall be defined as charges against a single defendant that may have more than one (1) victim and that are similar such as, but not limited to: burglaries, drug offenses, or serial rape. Worthless check cases shall be defined and counted as all worthless checks filed by the same affiant against the same defendant within a twenty-four-hour period with each check counted as a separate charge. District attorneys general shall treat multiple incidents as a single incident for purposes of this statute when the charges are of a related nature and it is the district attorney general's intention that all of the charges be handled in the same court proceeding.

(2) A civil case shall be defined as all motions, petitions, claims, counterclaims, or proceedings between the parties resulting from the initial filing until the case is disposed. A unique docket number will be assigned to a civil case upon filing. Until said case is disposed, all subsequent motions, petitions, claims, counterclaims, or proceedings between the parties resulting from the initial filing will be handled under the assigned docket number and will not be assigned a new docket number. Once a civil case has been disposed and further actions occur on the case, the original case will be reopened using the same docket number under which it was originally filed and are subject to additional court costs. All subsequent motions, petitions, claims, counterclaims, or proceedings relating to the reopened case will be handled under the one reopened case docket number until disposed. Any subsequent re-openings will still use the original docket number but will be counted as a new case for case-reporting purposes and are subject to additional court costs. Civil cases in courts of record shall be counted and reported to the administrative office of the courts according to this definition.

(3) Beginning July 1, 2003, or sooner if practicable, all general sessions courts and municipal courts with general sessions jurisdiction shall collect and provide court data to the administrative office of the courts based on the definitions for criminal and civil cases as provided in subdivisions (a)(1) and (2).

(4) All courts of record except for juvenile courts, and all general sessions courts and municipal courts with general sessions jurisdiction shall report caseload data to the administrative office of the courts not less than one (1) time each month, so that all cases filed and disposed in one (1) month have been received by the administrative office of the courts by the fifteenth day of the following month in which the case is filed or disposed. The administrative office of the courts shall create forms to be used by each court in reporting the caseload data.

(5) The administrative office of the courts will provide written notification to any responsible party found not to be in compliance with reporting requirements. Written notification will detail the type of noncompliance and recommend the corrective action to be taken. If compliance is not achieved during the subsequent reporting period following notification, the administrative office of the courts will no longer accept data from the office not in compliance until such time as the errors are corrected. Notification of this action will be sent to all judges, district attorneys general, district public defenders, and court clerks within the district where the non-complying office is located. Notification will also be sent to the district attorneys general conference, the district public defender conference, the administrative office of the courts and the county officials association of Tennessee. Any periods of noncompliance will also be reported in the annual report to the judicial council and to the chairs of the house and senate judiciary committees.

(b) Any automated court information system being used or developed on or after July 1, 2003, including, but not limited to, the Tennessee court information system (TnCIS) being designed pursuant to § [16-3-803\(h\)](#), shall ensure comparable data will be reported to the administrative office of the courts with respect to courts of record, and criminal cases in general sessions courts and municipal courts with general sessions jurisdiction, using the definitions and standards set forth in subsection (a). Each system shall use the Tennessee code citation on each criminal charge, and have the capability to use this information to classify the type and class of each charge.

[Acts 2001, ch. 408, § 4.]

Effective Dates. Acts 2001, ch. 408, § 8. July 1, 2001.

APPENDIX D

Letter from the Administrative Office of the Courts to Shelby County Criminal Court



Supreme Court of Tennessee

Administrative Office of the Courts
Nashville City Center, Suite 600
511 Union Street
Nashville, Tennessee 37219
615 / 741-2687 FAX 615 / 741-6285

CORNELIA A. CLARK
Director

ELIZABETH A. SYKES
Deputy Director

December 6, 2001

Bill Key
Shelby County Criminal Clerk
201 Poplar Avenue, Room 401
Memphis, TN 38103

Mr. Key:

It is with great reluctance that I write this letter. Under Supreme Court Rule 11 and 2001 Public Chapter 408, our office is required to notify you that due to a continued failure to comply with the reporting guidelines; we will no longer accept any TJIS data from your office, until such time as you can demonstrate that the problems cited in previous correspondence have been corrected.

I would like to say that we have found both your office and the District Attorney General's office very willing to help and work with us to see that the corrections made. I believe that these two offices are making strong efforts to move forward with the required changes and are demonstrating a great willingness to work together. The problem seems to be with the Shelby County Information Technology Department. I cannot say whether the problems have been caused by a lack of communication or some other reason.

During the past year, our offices have corresponded by letter, e-mail, and telephone. The District Attorney General's office has also written me. In a conference call held on October 16, 2001, with representatives from your office, I was under the impression that someone was present from the Information Technology Department. It was requested that I allow time for the needed program changes to be made. In order to give the IT Dept. as much time as possible, I agreed that 90 days should be a reasonable accommodation for Shelby County Criminal to submit the data to the AOC. We agreed to hold any further action until January 15, 2002. Your office should have been able to report the filing and disposition data for July through December 2001. This would have given us sufficient time prior to the end of the fiscal year to work out any remaining problems.

I received a letter from Michael Pachis on November 21, 2001, that expressed something very different. Mr. Pachis states that the agreement to extend the deadline and allow the 6 months of data to be filed by January 15, 2002, was reached without consulting with Information Technology and without consideration for the impact these changes would have on the case management system. It was confirmed on November 27, 2001, by Jack Applegate, that no one from Information Technology was present for that call. Mr. Pachis further states in his letter that the Information Technology Department will supply an estimate of when the JSS case management system can be brought into compliance by January 31, 2002. Currently, we have no idea of when the JSS system will be brought into compliance.

While we are now aware that the Information Technology Department was not consulted during the original extension, I must point out that the original consideration to extend time to Jan. 15, 2002, took into account, work, which must be done by our office when the data is received. Since Mr. Pachis has lengthened that extension to January 31, 2002, to provide an estimate of when the system can be modified, we would no longer have adequate time to review and work with the clerk's office to make any corrections on the data when received.

There also seems to be an issue over the changes to Rule 11 bringing this problem into being. Please understand that even under Rule 11 prior to the amendment, the only time it would be appropriate to file every charge as a separate case would be if each charge were intended to be handled in a separate court proceeding. Upon reviewing the data we have received from Shelby County in the past, I see that the majority of these multiple charges filed as separate cases are disposed by the same judge on the same day. It is difficult to believe that every one of these was being handled as a separate court proceeding. The amendment to Rule 11 and the statutory changes by 2001 Public Chapter 408 clarified the case definitions, they did not radically change them.

Given the information we currently have and the lack of a firm time frame to receive data, I have no choice but to move forward with the enforcement steps called for by Supreme Court Rule 11 and 2001 Public Chapter 408, which states that we will be unable to accept the Criminal Court data until these guidelines are met.

Once Shelby County can demonstrate that the JSS case management system has been updated and can provide data in the correct format according to the reporting guidelines, we will send out notification whereby we will begin accepting data from your office again.

If you have any questions regarding this issue, please contact me at 1-800-448-7980.

Thank you for your time and attention to this matter.

Sincerely,



Walt Hampton
Assistant Director of the Courts, Technology Services

cc: Tammy McPherson, Technology Services Manager
Cornelia A. Clark, Director, AOC
William L. Gibbons, District Attorney General
Honorable J. C. McLin, Criminal Court Judge, 30th JD
Honorable Joseph B. (Joe) Dailey, Criminal Court Judge, 30th JD
Honorable W. Otis, Higgs, Jr., Criminal Court Judge, 30th JD
Honorable W. Fred Axley, Criminal Court Judge, 30th JD
Honorable Carolyn Wade Blackett, Criminal Court Judge, 30th JD
Honorable James C. Beasley, Jr., Criminal Court Judge, 30th JD
Honorable Arthur T. Bennett, Criminal Court Judge, 30th JD
Honorable Chris Craft, Criminal Court Judge, 30th JD
Honorable Bernie Weinman, Criminal Court Judge, 30th JD
Honorable John P. Colton, Jr., Criminal Court Judge, 30th JD
Jimmy Moore, Shelby County Circuit Court Clerk
Chris Thomas, Shelby County Probate Court Clerk
Kenny Armstrong, Shelby County Clerk and Master
A. C. Wharton, Jr., District Public Defender
Wally Kirby, Director District Attorney General Conference
Andy Hardin, Director Public Defender Conference
Marie Murphy, Executive Director COAT
Jim Kelly, Shelby County CAO
Donnie Wilson, County Attorney
John Trusty, Shelby County Director of Finance
Joe Jackson, Administrator Information Technology

APPENDIX E

Letter from Shelby County Information Technology Manager to the Administrative Office of the Courts



Shelby County Tennessee

DATE RECEIVED

JAN 31 2002

OFFICES OF
RESEARCH & EDUCATION
ACCOUNTABILITY

Jim Rout, Mayor

January 30, 2002

Walt Hampton
Administrative Office of the Courts
Nashville City Center, Suite 600
511 Union Street
Nashville, TN 37219

I have attached the project plan for the modification of the Justice Support System (JSS) to bring Shelby County Government in compliance with Public Chapter 408 for both Criminal and General Sessions Courts.

The plan specifies the modification of the JSS database, creation of 13 new programs, the modification of 19 on-line programs, and the modification of 69 batch programs. Since the County's Court System (JSS) is also integrated with Jail Management software provided by the CorrLogic Company the plan also includes time and an expenditure of \$104,000 to have CorrLogic modify the Jail Management software.

Shelby County Information Technology is committing from its staff seven programmers and two systems analysts to the effort. Shelby County is also hiring an outside project manager for the estimated sum of \$150,000. Given these resources, Information Technology is estimating that October 2003 will be the first month of total compliance to Public Chapter 408 for Criminal Court and July 2003 for General Sessions Court.

Information Technology will be sending you monthly updates on our project plan so you can monitor our progress towards Public Chapter 408 compliance. I believe these expenditures of staff and money more than demonstrate good faith on the part of the Shelby County Administration.

Michael Pachis

A handwritten signature in cursive script that reads "Michael Pachis".

Manager, Shelby County Information Technology
160 N. Main St. Suite 700
Memphis, TN 38103

CC: Mayor Jim Rout, Bill Key, Jim Kelly, Ernie Gunn, John Trusty, Joe Jackson, Denise Denton

160 North Main Street, Memphis, Tennessee 38103

Appendix F
FY 2001-2002 Updated Tennessee Weighted Caseload Model*

			District	District	District	District	District	District	District	District	District	District
	See Appendix D for list of Counties by District		1	2	3	4	5	6	7	8	9	10
	Casetype	Case Weight	Case Filings per District									
1	Civil	92	1,348	1,020	1,504	1,575	666	4,865	761	972	848	1,380
2	Domestic	46	2,407	2,042	3,254	2,531	2,033	6,085	1,307	1,024	841	2,859
3	Probate	71	218	739	511	249	12	1,380	286	393	82	268
4	Felonies	73	1,293	782	537	681	257	1,281	141	651	301	928
5	Misdemeanor	34	386	116	121	184	73	663	190	319	172	238
6	Criminal Other	61	205	381	42	312	24	129	64	52	40	143
7	Total Filings		5,857	5,080	5,969	5,532	3,065	14,403	2,749	3,411	2,284	5,816
8	Workload		370,234	324,512	370,210	354,006	178,349	949,394	171,097	225,972	152,785	362,061
9	Rural Adjustment (+)				55,532	53,101	26,752		25,665	33,896	22,918	54,309
10	Adjusted Workload		370,234	324,512	425,742	407,107	205,101	949,394	196,762	259,868	175,703	416,370
11	Judge Year		104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160
12	Travel Adjustment (-)**		6,225	6,225	6,225	6,225	280	280	280	9,154	6,225	6,225
13	Non-Casework Adj. (-)		13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243
14	Adjusted Judge Yr.		84,692	84,692	84,692	84,692	90,637	90,637	90,637	81,763	84,692	84,692
15	Total # of Judges		5	4	5	4.9	2.1	10	2	3	3	5
16	Judicial Res. Needed		4.37	3.83	5.03	4.81	2.26	10.47	2.17	3.18	2.07	4.92
17	FTE Deficit or Excess		0.63	0.17	-0.03	0.09	-0.16	-0.47	-0.17	-0.18	0.93	0.08
18	Child Support Referee		No	Yes	Yes	Yes	No	Yes	No	Yes	Yes	Yes
19	Clerk and Master Available***		?	Yes	?	no	no	Yes	?	?	?	?
20	Category****		T	T	R	R	R	U	R	R	R	R
21	Civil Resources Needed		2.95	2.84	4.40	3.79	1.97	9.11	1.91	2.31	1.66	3.77
22	Criminal Resources Needed		1.42	1.00	0.62	1.02	0.29	1.37	0.26	0.87	0.41	1.15

* Updated with 2001/2002 Judicial Resources, with 2001/2002 Filings, and 2001 Revised Case Weights. The quantitative weighted caseload model provides a foundation for assessing judicial needs. This quantitative model approximates the need for judicial recourses and other qualitative and court-specific factors should be considered when analyzing the need for judicial resources.

** Travel adjusted based on High (9,154) Medium (6225), and Low (280) average travel time.

*** A yes in this column signifies a Clerk & Master who spends at least half of his/her time assisting with the judicial workload.

**** U = Urban (established economic center), T = Transitional (significant population gains and/or regional economic center), R = Rural.

Appendix F
FY 2001-2002 Updated Tennessee Weighted Caseload Model*

		District	District	District	District	District	District	District	District	District	District	District
		11	12	13	14	15	16	17	18	19	20	21
	Casetype	Case Filings per District										
1	Civil	4,011	1,095	1,416	473	1,099	1,808	894	1,341	1,341	8,370	1,288
2	Domestic	3,677	2,444	1,083	727	1,621	2,996	1,984	2,012	2,290	4,671	2,229
3	Probate	1,005	228	209	138	137	32	374	437	437	2,033	464
4	Felonies	1,604	1,076	979	378	846	1,260	385	746	846	4,061	648
5	Misdemeanors	1,174	553	822	88	632	628	28	237	276	782	231
6	Criminal Other	250	48	21	43	11	38	111	73	57	2,970	200
7	Total Filings	11,721	5,444	4,530	1,847	4,346	6,762	3,776	4,846	5,247	22,887	5,060
8	Workload	781,767	329,630	295,625	119,965	269,318	422,074	235,894	313,920	334,358	1,633,460	321,332
9	Rural Adjustment (+)		49,445	44,344	17,995	40,398		35,384				
10	Adjusted Workload	781,767	379,075	339,969	137,960	309,716	422,074	271,278	313,920	334,358	1,633,460	321,332
11	Judge Year	104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160
12	Travel Adjustment (-)	280	9,154	9,154	280	9,154	6,225	6,225	280	6,225	280	6,225
13	Non-Case Work Adjustment (-)	13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243
14	Adjusted Judge Year	90,637	81,763	81,763	90,637	81,763	84,692	84,692	90,637	84,692	90,637	84,692
15	# Judges	9	4	5	2	4	5	3	3	4	15	4
16	Judicial Resources Needed	8.63	4.64	4.16	1.52	3.79	4.98	3.20	3.46	3.95	18.02	3.79
17	FTE Deficit or Excess	0.37	-0.64	0.84	0.48	0.21	0.02	-0.20	-0.46	0.05	-3.02	0.21
18	Child Support Referee	No	Yes	No	No	No	No	No	No	No	No	No
19	Clerk and Master Available***	No	?	Yes	?	?	Yes	?	No	No	Yes	?
20	Category****	U	R	R	R	R	T	R	T	T	U	T
21	Civil Resources Needed	6.72	3.23	2.74	1.10	2.61	3.62	2.72	2.72	3.07	12.46	3.00
22	Criminal Resources Needed	1.90	1.41	1.42	0.42	1.18	1.37	0.49	0.74	0.88	5.56	0.80

* Updated with 2001/2002 Judicial Resources, with 2001/2002 Filings, and 2001 Revised Case Weights. The quantitative weighted caseload model provides a foundation for assessing judicial needs. This quantitative model approximates the need for judicial resources and other qualitative and court-specific factors should be considered when analyzing the need for judicial resources.

** Travel adjusted based on High (9,154) Medium (6225), and Low (280) average travel time.

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Appendix F
FY 2001-2002 Updated Tennessee Weighted Caseload Model*

		District	District	District	District	District	District	District	District	District	District	Totals
		22	23	24	25	26	27	28	29	30	31	
	Casetype	Case Filings per District										
1	Civil	1,192	701	1,011	1,259	1,524	738	658	450	6,859	375	52,842
2	Domestic	2,018	1,777	1,033	1,829	1,853	1,124	887	693	4,364	611	66,306
3	Probate	317	169	246	542	93	209	270	24	1,230	156	12,888
4	Felonies	1,124	937	518	707	845	330	441	608	0	412	25,603
5	Misdemeanors	564	289	46	142	234	27	156	83	0	107	9,561
6	Criminal Other	193	99	94	45	86	2	67	17	0	2	5,819
7	Total Filings	5,408	3,972	2,948	4,524	4,635	2,430	2,479	1,875	12,453	1,663	173,019
8	Workload	338,000	242,499	203,108	297,628	306,936	159,569	162,092	123,225	919,102	107,518	
9	Rural Adjustment (+)	50,700	36,375	30,466	44,644		23,935	24,314	18,484		16,128	
10	Adjusted Workload	388,700	278,874	233,574	342,272	306,936	183,504	186,406	141,709	919,102	123,646	
11	Judge Year	104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160	104,160	
12	Travel Adjustment (-)	6,225	9,154	9,154	9,154	6,225	6,225	6,225	6,225	280	6225	
13	Non-Casework Adjustment (-)	13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243	13,243	
14	Adjusted Judge Year	84,692	81,763	81,763	81,763	84,692	84,692	84,692	84,692	90,637	84,692	
15	# Judges	4	3	3	4	4	2	2	2	14	1	141.00
16	Judicial Resources Needed	4.59	3.41	2.86	4.19	3.62	2.17	2.20	1.67	10.14	1.46	139.57
17	FTE Deficit or Excess	-0.59	-0.41	0.14	-0.19	0.38	-0.17	-0.20	0.33	3.86	-0.46	1.43
18	Child Support Referee	No	Yes	No	No	No	No	No	No	No	No	
19	Clerk and Master Available***	No	?	Yes	No	No	?	?	No	No	?	
20	Category****	R	R	R	R	T	R	R	R	U	R	
21	Civil Resources Needed	3.06	2.23	2.22	3.35	2.74	1.83	1.64	1.02	10.14	1.00	107.92
22	Criminal Resources Needed	1.53	1.19	0.63	0.83	0.88	0.34	0.56	0.66	0.00	0.46	31.65

* Updated with 2001/2002 Judicial Resources, with 2001/2002 Filings, and 2001 Revised Case Weights. The quantitative weighted caseload model provides a foundation for assessing judicial needs. This quantitative model approximates the need for judicial resources and other qualitative and court-specific factors should be considered when analyzing the need for judicial resources.

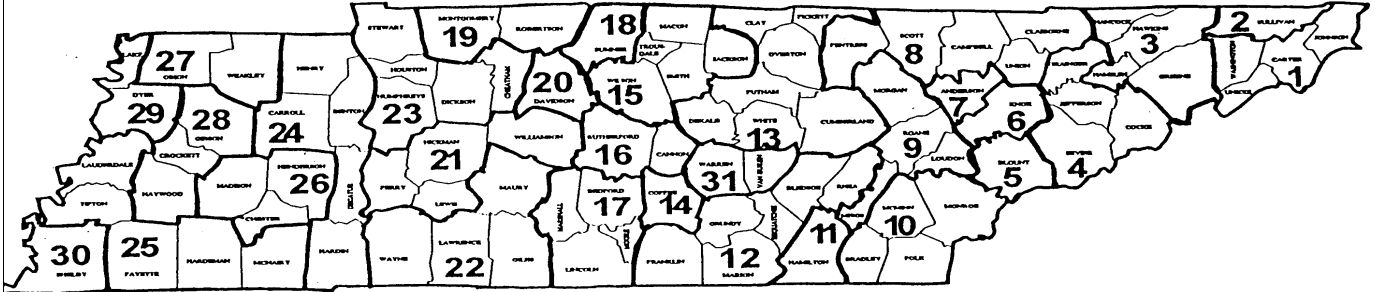
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APPENDIX G

TENNESSEE JUDICIAL DISTRICTS



- District 1 - Carter, Johnson, Unicoi, and Washington Counties
- District 2 - Sullivan County
- District 3 - Greene, Hamblen, Hancock, and Hawkins Counties
- District 4 - Cocke, Grainger, Jefferson, and Sevier Counties
- District 5 - Blount County
- District 6 - Knox County
- District 7 - Anderson County
- District 8 - Campbell, Claiborne, Fentress, Scott, and Union Counties
- District 9 - Loudon, Meigs, Morgan, and Roane Counties
- District 10 - Bradley, McMinn, Monroe, and Polk Counties
- District 11 - Hamilton County
- District 12 - Bledsoe, Franklin, Grundy, Marion, Rhea, and Sequatchie Counties
- District 13 - Clay, Cumberland, DeKalb, Overton, Pickett, Putnam, and White Counties
- District 14 - Coffee County
- District 15 - Jackson, Macon, Smith, Trousdale, and Wilson Counties
- District 16 - Cannon and Rutherford Counties
- District 17 - Bedford, Lincoln, Marshall, and Moore Counties
- District 18 - Sumner County
- District 19 - Montgomery and Robertson Counties
- District 20 - Davidson County
- District 21 - Hickman, Lewis, Perry, and Williamson Counties
- District 22 - Giles, Lawrence, Maury, and Wayne Counties
- District 23 - Cheatham, Dickson, Houston, Humphreys, and Stewart Counties
- District 24 - Benton, Carroll, Decatur, Hardin and Henry Counties
- District 25 - Fayette, Hardeman, Lauderdale, McNairy, and Tipton Counties
- District 26 - Chester, Henderson, and Madison Counties
- District 27 - Obion and Weakley Counties
- District 28 - Crockett, Gibson, and Haywood Counties
- District 29 - Dyer and Lake Counties
- District 30 - Shelby County
- District 31 - Van Buren and Warren Counties

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